

REMARKS

This paper is filed in response to the Office Action mailed on November 7, 2003. Claims 1-22 are presently pending. Claims 1-11 and 22 have been canceled without prejudice. Applicant reserves the right to file continuing applications for the subject matter of the canceled claims. Claims 23-25 have been added. Consideration of Claims 12-21 and 23-25 is respectfully requested.

The Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

Group I, Claims 1-10 and 22, drawn to a method for sanitizing perishable goods; and

Group II, Claims 11-21, drawn to an apparatus for sanitizing.

Applicant affirms the election of Claims 11-21, without traverse, made on September 10, 2003, during a telephone conversation with the Examiner.

The Rejection of Claim 20 Under 35 U.S.C. § 112

Claim 20 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has corrected a typographical error, wherein the word "construction" was inadvertently typed instead of "constriction," which is element 500 in FIGURE 6. Accordingly, withdrawal of the rejection of Claim 20 is respectfully requested.

The Rejection of Claims 11-21 Under 35 U.S.C. § 102(b)

Claims 11-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Mosenson (U.S. Patent No. 5,620,654).

Claim 11 has been canceled, and Claim 23 has been substituted therefore. Claims 24 and 25 have been added. Claims 12-20 have been amended to depend directly or indirectly from Claim 23. Claim 21 has been amended.

Independent Claim 21 recites "wherein both of the means for mixing include a rotating member housed within a conduit wherein the agents are mixed with the goods as the rotating member transfers the goods through the conduit."

Independent Claim 23 recites "a conduit with an inlet and outlet for perishable goods, and an inlet and outlet for a sanitizing agent, wherein a rotating screw conveyor within the conduit transfers the goods through the conduit and mixes the goods with the sanitizing agent as the goods are transferred through the conduit."

Independent Claim 25 recites "a conduit with an inlet and outlet for perishable goods, and an inlet and outlet for a sanitizing agent, wherein a rotating member within the conduit transfers the goods through the conduit and mixes the goods with the sanitizing agent as the goods are transferred through the conduit, and wherein the rotating member causes the removal of the sanitizing agent from the conduit by compressing the goods and directing the sanitizing agent through a perforated interior wall of the conduit."

By contrast, Mosenson uses a screw conveyor for transfer of waste only after sanitizing the waste. Mosenson does not describe mixing goods with sanitizing agent in a conduit with screw conveyor as the goods travel through the conduit nor does Mosenson describe removal of the sanitizing agent from the conduit by compressing the goods and directing the sanitizing agent through a perforated interior wall of the conduit. Specifically, Mosenson describes a hopper 31 into which the medical waste is added. A grinder is positioned directly underneath the hopper, and a container 30 with the sanitizing agent is positioned directly above the hopper 31 and added to the waste. The waste material falls through the grinder 20 into a vessel 22 wherein the

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

sanitizing agent is drained and recirculated to hopper 31 where it is sprayed on the medical waste. A screw conveyor 25 (shown in Figure 4) can be used to remove the waste from the vessel 22 and deposit the waste into the sewage system.

For a reference to be anticipatory, the reference must exactly describe the claimed invention. Because Mosenson, at the very least does not describe a conduit wherein a rotating screw conveyor mixes the goods with the sanitizing agent as the goods are transferred through the conduit nor removal of the sanitizing agent from the conduit by compressing the goods and directing the sanitizing agent through a perforated interior wall of the conduit, the Mosenson reference is not anticipatory.

Accordingly independent Claims 21, 23, and 25 are not anticipated by Mosenson. Furthermore, because Claims 12 through 20, and 24 are directly or indirectly dependent from Claim 21, Claims 12 through 20 are at least allowable for this reason, if not also for the fact that Mosenson does not describe the subject matter recited in the dependent claims.

Mosenson does not describe "wherein the rotating screw conveyor causes the removal of the sanitizing agent from the conduit by compressing the goods and directing the sanitizing agent through a perforated interior wall of the conduit", as recited in Claim 24.

Mosenson does not describe "paddles disposed on a rotating shaft, wherein paddles are spaced progressively closer to one another to separate the sanitizing agent from the goods by compressing the goods", as recited in Claim 12.

Mosenson does not describe a "screw of increasing cylinder diameter for separating the sanitizing agent from the conduit through a perforated interior wall of the conduit", as recited in Claim 13.

Mosenson does not describe "paddles disposed on a rotating shaft, wherein paddles are spaced progressively closer to one another to separate the neutralizing agent from the goods by compressing the goods", as recited in Claim 15.

Mosenson does not describe a "screw of increasing cylinder diameter for separating the neutralizing agent from the conduit through a perforated interior wall of the conduit", as recited in Claim 16.

Mosenson does not describe "paddles disposed on a rotating shaft, wherein paddles are spaced progressively closer to one another to separate an antioxidant agent from the goods by compressing the goods", as recited in Claim 18.

Mosenson does not describe a "screw of increasing cylinder diameter for separating the antioxidant agent from the conduit through a perforated interior wall of the conduit", as recited in Claim 19.

Accordingly, the withdrawal of the rejection of Claims 12-21, and allowance of Claims 12-21, and 23-25 is respectfully requested.

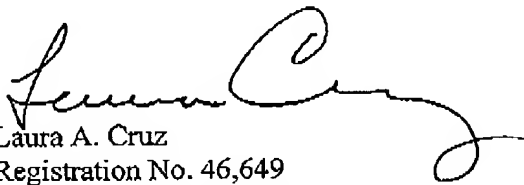
LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

CONCLUSION

In view of the foregoing remarks and amendments, applicants respectfully submit that Claims 12-21 and 23-25 are allowable. If the Examiner has further questions or comments, the Examiner is invited to contact the applicant's attorney at the number provided below.

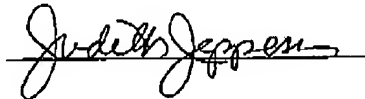
Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Laura A. Cruz
Registration No. 46,649
Direct Dial No. 206.695.1725

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1744, Examiner K.M. Thornton, at facsimile number 703-872-9306 on Monday, February 9, 2004.

Date: February 9, 2004



LXC:mk